



International Mobile Satellite Organization

ASSEMBLY

Twentieth Session

Malta, 29 September to 3 October 2008

Agenda item 4.2

ASSEMBLY/20/4.4

Origin: Director

Date: 25 June 2008

STATUS OF CONSTITUENT AND OTHER INSTRUMENTS

**INTERNATIONAL AGREEMENT ON THE USE OF INMARSAT
SHIP EARTH STATIONS WITHIN THE TERRITORIAL SEA AND PORTS**

<i>Executive Summary:</i>	this document sets out the status of and background to the International Agreement on the Use of Inmarsat Ship Earth Stations (SESS) Within the Territorial Sea and Ports
<i>Action to be taken:</i>	<ol style="list-style-type: none">1. to note that there are forty-eight (48) States Parties to the Agreement;2. to decide that the Agreement should not be amended at this time; and3. to urge Member States and all other States that are not Party to the International Agreement, to accede or adhere to it at the earliest possible date
<i>Related documents:</i>	ASSEMBLY/20/INF/3, Annex VI

1 BACKGROUND

1.1 Since the Eighteenth Session of the Assembly, there have been no new accessions to the Agreement. As at 2 June 2008, forty-eight (48) States were Parties to the Agreement, as set forth in the **Annex**.

1.2 At its Thirteenth (Extraordinary) Session, the Assembly requested the Director to consult Parties about proposed amendments to the International

Agreement on the Use of Ship Earth Stations in Ports and Territorial Waters, and to report thereon to the next regular session of the Assembly (ASSEMBLY/13/Report, paragraph 4.5.4.1 refers).

1.3 At its Fifteenth Session, the Assembly decided to take no decision on the future of the Agreement until the next Session of the Assembly and, in the meantime, that:

- (a) the reference to the International Maritime Satellite Organization (INMARSAT) in Article 1(1) of the Agreement shall be understood to mean “Inmarsat Ltd. under the oversight of the International Mobile Satellite Organization (IMSO)”; and
- (b) the reference to the Director General of INMARSAT in 10(1) shall be understood to mean “The Director of IMSO”.

1.4 At its Sixteenth Session, the Assembly has decided that the Agreement was still an important and valid Agreement, and that it should not be amended at this time.

1.5 At its Seventeenth and Eighteenth Sessions, the Assembly decided to urge Member States and all other States that are not Party to the International Agreement, to accede or adhere to it at the earliest possible date in order to contribute to maritime safety and the efficiency of navigation, and to facilitate the implementation of the Global Maritime Distress and Safety System (GMDSS), as well as to enhance the use of Inmarsat SESs for ship operations and management.

1.7 At its Eighteenth Session in September 2006, the Assembly decided that, if and when IMSO carries out the oversight of the activities of satellite providers other than Inmarsat, there would be a consequence on the Agreement, and that the Director will report to the Assembly on this matter in due course.

2 ACTION REQUIRED

2.1 The Assembly notes that there are forty-eight (48) States Parties to the International Agreement on the Use of Inmarsat Ship Earth Stations

(SEs) Within the Territorial Sea and Ports, which was adopted by the Assembly at its Fourth Session on 16 October 1985, and which entered into force on 12 September 1993. The list of Parties to the Agreement is set out in the **Annex** to this document.

2.3 The Assembly is invited to comment on the status and future of the Agreement, to decide that the Agreement is still an important and valid Agreement, and that it should not be amended at this time.

2.4 The Assembly decides to urge Member States and all other States that are not Party to the International Agreement, to accede or adhere to it at the earliest possible date in order to contribute to maritime safety and the efficiency of navigation, and to facilitate the implementation of the Global Maritime Distress and Safety System (GMDSS), as well as to enhance the use of Inmarsat SEs for ship operations and management.

**INTERNATIONAL AGREEMENT ON THE USE OF INMARSAT
SHIP EARTH STATIONS WITHIN THE TERRITORIAL SEA AND PORTS
DONE AT LONDON ON 16 OCTOBER 1985**

(Entered into force on 12 September 1993)

List of Parties to the International Agreement

(as at 25 June 2006)

State	Date of Signature or Deposit of Instrument by State	Date of Entry into Force of International Agreement for State
ARGENTINA (signature) ^{1/}	9 September 1992	-
AUSTRALIA (signature)	2 April 1987	12 September 1993
AUSTRIA (signature)	11 June 1990	12 September 1993
BAHRAIN (accession)	13 June 1996	13 June 1996
BELGIUM (ratification)	22 January 1990	12 September 1993
BRAZIL (ratification)	18 December 1995	18 December 1995
BULGARIA (accession)	26 June 1995	26 June 1995
CANADA (signature)	15 March 1988	12 September 1993
CHILE (signature)	18 October 1990	12 September 1993
CHINA, People's Republic of (accession) <u>6/ 7/</u>	3 November 1993	3 November 1993
CROATIA (accession)	19 July 1996	19 July 1996
CUBA (accession)	15 September 1993	15 September 1993
CYPRUS (accession)	29 March 1994	29 March 1994
DENMARK (signature)	2 April 1987	12 September 1993
FINLAND (ratification)	18 June 1990	12 September 1993
FRANCE (signature) ^{4/}	27 July 1990	12 September 1993
FEDERAL REPUBLIC OF GERMANY (ratification)	26 October 1988	12 September 1993
GREECE (ratification)	28 May 1992	12 September 1993
GUATEMALA (accession)	3 June 1999	3 June 1999
HUNGARY (accession)	3 March 2000	3 March 2000
ICELAND (accession)	26 October 1998	26 October 1998
INDIA (ratification)	21 June 1991	12 September 1993
INDONESIA (signature)	13 August 1993	12 September 1993
ISRAEL (ratification)	29 April 1998	29 April 1998
ITALY (signature)	2 April 1987	12 September 1993
KUWAIT (ratification) ^{2/}	11 May 1989	12 September 1993
LATVIA (accession)	30 July 1997	30 July 1997
LEBANON (accession)	22 April 1997	22 April 1997
LIBERIA (accession)	13 June 1995	13 June 1995
MALDIVES (accession)	18 February 1994	18 February 1994
MALAYSIA (accession)	27 July 1994	27 July 1994
MARSHALL ISLANDS (accession)	2 November 1998	2 November 1998
MOROCCO (signature) ^{1/}	7 May 1992	-

S204.4

Page A2

NETHERLANDS (acceptance)³/

24 June 1987

12 September 1993

State	Date of Signature or Deposit of Instrument by State	Date of Entry into Force of International Agreement for State
NORWAY (signature)	3 October 1986	12 September 1993
POLAND (ratification)	29 February 1988	12 September 1993
PORTUGAL (accession) <u>7/</u>	4 October 1995	4 October 1995
QATAR (signature)	5 May 1993	12 September 1993
ROMANIA (ratification)	8 October 1992	12 September 1993
RUSSIAN FEDERATION (signature) ^{5/}	9 October 1986	12 September 1993
SINGAPORE (signature)	3 October 1990	12 September 1993
SLOVAK REPUBLIC (accession)	7 April 2000	7 April 2000
SLOVENIA (accession)	21 August 1995	21 August 1995
SOUTH AFRICA (signature)	18 April 1989	12 September 1993
SPAIN (ratification)	3 May 1989	12 September 1993
SWEDEN (signature)	20 July 1988	12 September 1993
TURKEY (accession)	1 March 2000	1 March 2000
UNITED KINGDOM (ratification)	20 September 1991	12 September 1993

TOTAL 48 PARTIES**Notes:**

1/ Subject to ratification

2/ With the following Statement:

"It is understood that the Ratification of the State of Kuwait of the International Agreement on the Use of INMARSAT Ship Earth Stations within the Territorial Sea and Ports does not mean in any way a recognition of Israel by the Government of the State of Kuwait. Furthermore, no treaty relations will arise between the State of Kuwait and Israel."

3/ Acceptance for the Kingdom of the Netherlands in Europe

4/ With the following Declaration:

"En signant sans réserve d'approbation l'Accord international sur l'utilisation des stations terriennes INMARSAT de navires dans les limites de la mer territoriale et des ports, adopté à Londres le 16 octobre 1985 lors de la quatrième session de l'assemblée des parties d'INMARSAT, le Gouvernement de la République française déclare qu'il est dans ses intentions, dans le strict respect des dispositions des articles 3 et 4 du dit Accord, de restreindre l'exploitation du système INMARSAT dans ses ports et dans ses eaux territoriales, chaque fois que les circonstances l'exigeront."

5/ Signed by former USSR

6/ By a Note dated 5 June 1997, the Government of the People's Republic of China stated that this Agreement shall continue to apply to the Hong Kong Special Administrative Region with effect from 1 July 1997.

7/ Notifications have been received from the Portuguese Republic as well as the People's Republic of China that, in accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China signed on 13 April 1987, the Agreement will apply to the Macao Special Administrative Region with effect from 20 December 1999, and the Government of the People's Republic of China will assume responsibility for the international rights and obligations arising from the application of the Agreement to the Macao Special Administrative Region.